IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

CHAMBER SUMMONS NO.1471 OF 2006

IN

SUIT NO.3202 OF 1989

Mohammed Jumman Haji Abdul Sattar .. Plaintiff.

Versus

M/s.M.J.Builders & Ors. .. Defendants.

Mr.N.C.Dalal i/b.M/s.Dalal & Co. for plaintiff/applicant.
Mr.A.J.Almeida for defendant No.3.
Mr.Rajiv Kumar for defendant No.6.

CORAM : S.C.DHARMADHIKARI, J.

DATE : 21st AUGUST, 2007.

P.C.:

1. Mr.Dalal, appearing in support of Chamber Summons No.1471 of 2006 states that in pursuance of the order passed by this Court on 7th August, 2007, in this Chamber Summons, an affidavit has been filed by the Constituted Attorney, setting out all attempts made till date to serve the Chamber Summons on respondent Nos.2A(i) and 2A(ii). He submits that these respondents are residing in Pakistan

and several attempts made, have not yielded any response. He states that one of the respondents is now settled in United States of America. It is in these circumstances and the facts peculiar to this case that the plaintiff in Suit No.3202 of 1989 is permitted to serve respondents by alternate permissible modes of service. In other words, request of Mr.Dalal for substituted service is granted. The necessary steps to be taken by the plaintiff within a period of six weeks from today. The affidavit of service is taken on record.

2. Office to delete the name of M/s.Pandya & Poonawala as Advocates for the plaintiffs in Suit No.1056 of 1987 and as Advocates for defendant Nos.1 & 6 in Suit No.3202 of 1989 and Suit No.1036 of 1990. Mr.Rajiv Kumar states that the Advocate would be filing Vakalatnama for the plaintiffs within a period of two weeks from today.

(S.C.Dharmadhikari, J.)